REMARKS

With the entry of the foregoing amendments, claims 1-11 are pending in the application. The amendments should be entered at this time because they place the application in condition for allowance and simply confirm what is known by those of skill in the art that the claimed dose structure occurs prior to any compression molding, and as previously discussed during the prosecution and in the recent telephone interview.

In this regard, applicant notes with appreciation the telephone interview held with the Examiner in this case and application serial number 10591117 on May 4, 2009. In line with those discussions, claim 1 has been amended to further confirm that the claimed dose structure is present **before any compression molding** – which is critical to the claimed invention for the maximization of barrier properties and to ensure that the functional barrier layer is not present on the surface of the resulting object. As discussed during the interview, the claimed dose structure, with all of its features and requirements, is not disclosed or suggested by the prior art. The claim 1 amendments are supported by the specification, for example, page 7, line 27, page 8, lines 1-2, and the corresponding disclosures for Figures 12 to 17. Claim 11 has been amended to place it in more conventional U.S. patent claim format. No new matter has been added by the claim amendments.

In response to the rejection of claims 1-11 as allegedly being obvious over Akiyama (US 2002/0182351), applicant respectfully traverses the rejection for at least the following reasons.

Akiyama exclusively refers to a parison. The rejection states that "Akiyama discloses a multilayer parison which is the claimed 'dose' of the applicant." This is

incorrect. A parison is not a dose. In this regard, the International Examination Report issued by the European Patent Office (previously filed with an IDS in this case) correctly realizes these important differences and, therefore, has rendered a positive opinion about the claimed invention that does not cover a parison.

More specifically, the claimed product is a dose, unlike the parison disclosed and suggested in Akiyama. A parison is an intermediate product between a "dose" step and the "final object" step. For example, if the final object is a bottle, a person would start from a dose of plastic material. The dose would be placed in a mold where it is then compressed/molded and becomes a parison. The parison is finally blown to form a bottle. Accordingly, a dose is not a parison, and a dose is not equivalent to a parison. Thus, the claimed invention is not obvious in view of the cited art that nowhere discloses or suggests the claimed dose invention and methods.

Moreover, the Examiner correctly notes in the third full paragraph on page 3 of the Office Action that "Akiyama is silent with regards to the compression molding, the distance of the functional layers from the surface of the parison, the characteristics of the functional layer, and where the portions are defomed during the method." Thus, the Examiner appears to appreciate the significant differences of the claimed invention that have been further confirmed by amended claim 1.

Finally, Akiyama teaches away from the claimed invention because it does not teach the unique dose configuration of the applicant's claimed barrier layer before any compression molding.

For at least these reasons, applicant requests the withdrawal of the prior art rejection.

In view of the foregoing amendments and remarks, and the attached documents, applicant submits that this application is in condition for allowance. A notice to that effect is earnestly solicited.

If the Examiner has any questions, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

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